

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**DIANEA JEAN PARSLOW,**

**Plaintiff,**

**-vs-**

**6:02-CV-1024**

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**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

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**Thomas J. McAvoy, Senior U.S. District Judge**

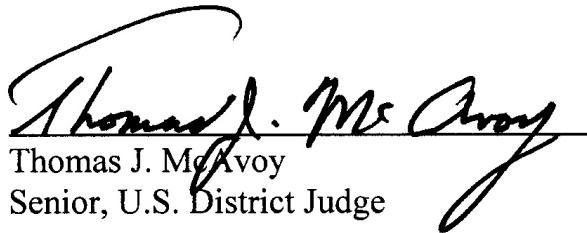
**DECISION and ORDER**

This matter was referred to the Hon. David E. Peebles, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. After examining the record, this Court has determined that the Report and Recommendation is not subject to attack for plain error or manifest injustice. Furthermore, no objections to the July 21, 2005 Report and Recommendation have been raised. Accordingly, this Court adopts the Report and Recommendation for the reasons stated therein.

Therefore, the Commissioner's motion for judgment on the pleadings is **GRANTED**, decision of the Commissioner is **AFFIRMED**, and the Complaint is **DISMISSED**.

**IT IS SO ORDERED.**

Dated: September 28, 2005

  
Thomas J. McAvoy  
Senior, U.S. District Judge